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17410 U.S. PRO
10/626538
07/25/03

| | | | |
|--|------------------------------|---|--------------|
| UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small> | | Attorney Docket No. 000166.0063-US09 First Inventor Michael E. Rickey Title PREPARATION OF BIODEGRADABLE, BIOCOMPATIBLE MICROPARTICLES CONTAINING A BIOLOGICALLY ACTIVE AGENT Express Mail Label No. _____ | |
| APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small> | | ADDRESS TO: MS Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 | |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <small>(Submit an original, and a duplicate for fee processing)</small> 2. <input type="checkbox"/> Applicant claims small entity status. <small>See 37 CFR 1.27.</small> 3. <input checked="" type="checkbox"/> Specification [Total Pages 36] <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (<i>if filed</i>) - Detailed Description - Claim(s) - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 4] 5. Oath or Declaration [Total Sheets 6] <ul style="list-style-type: none"> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 18 completed)</small> <ul style="list-style-type: none"> i. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small> 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76 | | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission <small>(if applicable, all necessary)</small> <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies | |
| ACCOMPANYING APPLICATIONS PARTS | | | |
| 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 10. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small> 11. <input type="checkbox"/> English Translation Document (<i>if applicable</i>) 12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small> 16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). <small>Applicant must attach form PTO/SB/35 or its equivalent.</small> 17. <input checked="" type="checkbox"/> Other: <input type="checkbox"/> Copy of Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record filed in prior Appl. No. 10/278,011 | | | |
| 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: 10/278,011 Prior application information: Examiner R Joynes Art Unit: 1615 | | | |
| For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. | | | |
| 19. CORRESPONDENCE ADDRESS | | | |
| <input type="checkbox"/> Customer Number or Bar Code Label | | 26853 | |
| | | or <input type="checkbox"/> Correspondence address below | |
| Name | COVINGTON & BURLING | | |
| Address | 1201 Pennsylvania Avenue, NW | | |
| City | Washington | State | D.C. |
| Country | USA | Telephone | 202.662.6000 |
| Name (Print/Type) | | Registration No. (Attorney/Agent) | |
| Signature | | Date July 25, 2003 | |

13281 U.S. PTO
07/25/03

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 750.00)

Complaint if Known

| | |
|----------------------|----------------------------|
| Application Number | Continuation of 10/278,011 |
| Filing Date | July 25, 2003 |
| First Named Inventor | Michael E. Rickey |
| Examiner Name | Not Yet Assigned |
| Art Unit | N/A |
| Attorney Docket No. | 000166.0063-US09 |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None
 Deposit Account

Deposit Account Number 50-0740

Deposit Account Name Covington & Burling

The Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

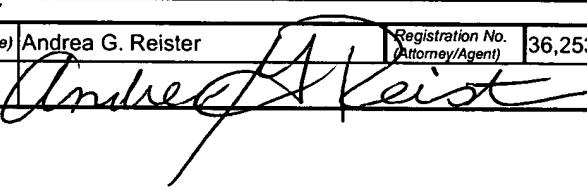
| Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------------|--------------|-----------------|---|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) |
| 1051 | 130 | 2051 | 65 Surcharge - late filing fee or oath |
| 1052 | 50 | 2052 | 25 Surcharge - late provisional filing fee or cover sheet. |
| 1053 | 130 | 1053 | 130 Non-English specification |
| 1812 | 2,520 | 1812 | 2,520 For filing a request for ex parte reexamination |
| 1804 | 920* | 1804 | 920* Requesting publication of SIR prior to Examiner action |
| 1805 | 1,840* | 1805 | 1,840* Requesting publication of SIR after Examiner action |
| 1251 | 110 | 2251 | 55 Extension for reply within first month |
| 1252 | 410 | 2252 | 205 Extension for reply within second month |
| 1253 | 930 | 2253 | 465 Extension for reply within third month |
| 1254 | 1,450 | 2254 | 725 Extension for reply within fourth month |
| 1255 | 1,970 | 2255 | 985 Extension for reply within fifth month |
| 1401 | 320 | 2401 | 160 Notice of Appeal |
| 1402 | 320 | 2402 | 160 Filing a brief in support of an appeal |
| 1403 | 280 | 2403 | 140 Request for oral hearing |
| 1451 | 1,510 | 1451 | 1,510 Petition to institute a public use proceeding |
| 1452 | 110 | 2452 | 55 Petition to revive - unavoidable |
| 1453 | 1,300 | 2453 | 650 Petition to revive - unintentional |
| 1501 | 1,300 | 2501 | 650 Utility issue fee (or reissue) |
| 1502 | 470 | 2502 | 235 Design issue fee |
| 1503 | 630 | 2503 | 315 Plant issue fee |
| 1460 | 130 | 1460 | 130 Petitions to the Commissioner |
| 1807 | 50 | 1807 | 50 Processing fee under 37 CFR 1.17(q) |
| 1806 | 180 | 1806 | 180 Submission of Information Disclosure Stmt |
| 8021 | 40 | 8021 | 40 Recording each patent assignment per property (times number of properties) |
| 1809 | 750 | 2809 | 375 Filing a submission after final rejection (37 CFR 1.129(a)) |
| 1810 | 750 | 2810 | 375 For each additional invention to be examined (37 CFR 1.129(b)) |
| 1801 | 750 | 2801 | 375 Request for Continued Examination (RCE) |
| 1802 | 900 | 1802 | 900 Request for expedited examination of a design application |
| Other fee (specify) | | | |

SUBTOTAL (2) (\$ 0.00)

*or number previously paid, if greater; For Reissues, see above

SUBTOTAL (3) (\$ 0.00)

Complete (if applicable)

| | | | | | |
|-------------------|---|--------------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Andrea G. Reister | Registration No. (Attorney/Agent) | 36,253 | Telephone | (202) 662-5141 |
| Signature |  | | | Date | July 25, 2003 |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Michael E. Rickey, et al.

Application No.: Continuation of 10/278,011 Group Art Unit: N/A

Filed: July 25, 2003 Examiner: Not Yet Assigned

For: PREPARATION OF BIODEGRADABLE,
BIOCOMPATIBLE MICROPARTICLES
CONTAINING A BIOLOGICALLY ACTIVE
AGENT

TRANSMITTAL LETTER

MS Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Fee Transmittal;
2. Utility Patent Application Transmittal;
3. Application Data Sheet;
4. Utility application comprising: 33 pages of description; two pages of claims (17 claims); a one page abstract; and four sheets of drawings (Figs. 1-4);
5. Copies of the Combined Declaration and Power of Attorney for Patent Application filed in prior Appl. No. 10/278,011 (six pages);
6. Copy of the Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record filed in prior Appl. No. 10/278,011;

7. Copy of Statement under 37 CFR 3.73(b) filed in prior Appl. No. 10/278,011;
8. Copy of the Petition for Extension of Time under 37 CFR 1.136(a) filed in prior Appl. No. 10/278,011;
9. Preliminary Amendment;
10. Information Disclosure Statement;
11. Form PTO/SB/08a/b;
12. Check No. 315612 for \$750.00 to cover the basic filing fee; and
13. Two return receipt postcards.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 000166.0063-US09. A duplicate copy of this paper is enclosed.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

Dated: July 25, 2003

Respectfully submitted,

By 
Andrea G. Reister

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